

Congress of the United States
House of Representatives
Washington, DC 20515-3602

April 7, 2022

Joseph R. Biden
President of the United States
The White House
1600 Pennsylvania Ave. N.E.
Washington, D.C. 20500

Dear President Biden,

We write with grave concern regarding the recent announcement of your intent to rescind Title 42 on May 23, 2022. Moving to further relax immigration policies during a self-inflicted border security crisis is dangerous and immoral and we urge the Administration to reevaluate this proposal.

In June 2021, when this Administration attempted to lift the Trump Administration's Migrant Protection Protocols, the number of attempted crossings per month reached an all-time high. Unfortunately, the number of border crossings remained elevated even after the Protocols were put back in place. It stands to reason that a similar pattern will emerge once Title 42 is rescinded. The Department of Homeland Security has announced that they are preparing for over 500,000 crossings per month, more than double the peak reached after June of 2021.

Furthermore, in your FY23 budget proposal, you request a 13 percent increase in funding for Customs and Border Patrol, enough to hire 300 agents and 300 support officials. An additional 300 agents in the face of 12,000-18,000 migrants a day, more than double the recent record, will not be nearly enough. We also are troubled by the department's ability to find employees to fill these positions. Many may be dissuaded from joining the Border Patrol knowing that this Administration will attack their important work at every turn.

Without a strong Border Patrol force and the necessary barriers like a wall to back them up, criminals, smugglers, and human traffickers get through. In FY21, 1.72 million crossings were reported, 10,763 migrants with criminal convictions were arrested, and 624,500 pounds of illicit drugs were seized. These policies put vulnerable women and children in the crosshairs of Mexican cartels and are directly responsible for the deaths of over 76,000 Americans who died from a fentanyl overdose in the last year.

Unfortunately, there is also a request to cut both the Immigration and Customs Enforcement (ICE) budget and the number of available detention beds. This, combined with the Administration's intent to close two detention centers and scale back two more, as well as the recent OIG report calling for the immediate evacuation of those being held in a private detention facility in New Mexico, paints a very troubling picture.

In the summer of 2021, nearly half of the 100,000 immigrants who were released from Border Patrol custody under a Notice to Report failed to appear at their scheduled court date. When questioned before the Senate Homeland Security Committee, Secretary Mayorkas claimed that immigrants who failed to self-report would become an enforcement priority. By cutting the ICE budget, this Administration has made two things clear, there is no plan to track down illegal immigrants who have failed to report, and this administration wishes to continue to flood our communities with unvetted immigrants who do not respect our laws.

In light of these policy decisions, we request answers to the following questions by April 22, 2022.

1. If your administration is anticipating over one million crossings in just two months once Title 42 is rescinded, do you have the resources to attain the level of enforcement and screening necessary to protect Americans?
2. Are you prepared for a similar surge of crossings should you follow through with your intention to remove the Migrant Protection Protocols as well?
3. What measures are you taking to ensure the swift recruitment and onboarding of badly needed new CBP agents?
4. How do you intend to track down people who have failed to report, which we know will soon increase, with fewer resources for the agency responsible for bringing them in?
5. Where do you intend to house detainees while continuing to close facilities?

In the midst of the many crises our country is facing, we urge you to reconsider your plan to rescind Title 42 and work to secure our border and our communities again.

Sincerely,



Markwayne Mullin
Member of Congress



Dan Crenshaw
Member of Congress



Nicole Malliotakis
Member of Congress



Young Kim
Member of Congress



David Valadao
Member of Congress